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UNITED STATES DISTRICT COURT
 SOUTHERN DISTRICT OF NEW YORK

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In re REFCO INC. SECURITIES LITIGATION	:	Case No. 07-md-1902 (GEL)
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This Document Relates to:

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KENNETH M. KRYN and CHRISTOPHER	:	
STRIDE, as JOINT OFFICIAL LIQUIDATORS	:	
of SPHINX LTD., SPHINX STRATEGY FUND	:	Case No. 08-cv-3065 (GEL)
LTD.;	:	Case No. 08-cv-3086 (GEL)
SPHINX PLUS SPC LTD., SPHINX	:	
DISTRESSED LTD., SPHINX MERGER	:	
ARBITRAGE LTD.; SPHINX SPECIAL	:	
SITUATIONS LTD., SPHINX MACRO LTD.;	:	
SPHINX LONG/SHORT EQUITY LTD.;	:	
SPHINX MANAGED FUTURES LTD.; SPHINX	:	NOTICE OF MOTION FOR
EQUITY MARKET NEUTRAL LTD.; SPHINX	:	LEAVE TO MAKE
CONVERTIBLE ARBITRAGE LTD.; SPHINX	:	SUBSTITUTED SERVICE
FIXED INCOME ARBITRAGE LTD.; SPHINX	:	ON DEFENDANT
DISTRESSED FUND SPC; SPHINX MERGER	:	CHRISTOPHER SUGRUE
ARBITRAGE FUND SPC; SPHINX SPECIAL	:	PURSUANT TO
SITUATIONS FUND SPC; SPHINX MACRO	:	<u>FED. R. CIV. P. 4(f)(3)</u>
FUND SPC; SPHINX LONG/SHORT EQUITY	:	
FUND SPC; SPHINX MANAGED FUTURES	:	
FUND SPC; SPHINX EQUITY MARKET	:	
NEUTRAL FUND SPC; SPHINX	:	
CONVERTIBLE ARBITRAGE FUND SPC;	:	

SPHINX FIXED INCOME ARBITRAGE FUND :
 SPC; PLUSFUNDS MANAGED ACCESS FUND :
 SPC LTD.; KENNETH M. KRYS and :
 CHRISTOPHER STRIDE as assignees of claims :
 assigned by MIAMI CHILDREN'S HOSPITAL :
 FOUNDATION, OFI, GREEN & SMITH :
 INVESTMENT MANAGEMENT LLC, THALES :
 FUND MANAGEMENT LLC, KELLNER :
 DILEO & CO., LLC, MARTINGALE ASSET :
 MANAGEMENT LP, LONGACRE FUND :
 MANAGEMENT LLC, ARNHOLD & S. :
 BLEICHROEDER ADVISERS LLC, PICTET & :
 CIE, RGA AMERICA REINSURANCE :
 COMPANY, DEUTSCHE BANK (SUISSE) SA, :
 ARAB MONETARY FUND, HANSARD :
 INTERNATIONAL LTD., CONCORDIA :
 ADVISORS LLC, GABELLI SECURITIES, INC., :
 CITCO GLOBAL CUSTODY; and JAMES :
 P. SINCLAIR as Trustee of the SPHINX TRUST, :

Plaintiffs, :

-against- :

CHRISTOPHER SUGRUE; MARK :
 KAVANAGH; BRIAN OWENS; :
 PRICEWATERHOUSECOOPERS L.L.P.; MARI :
 FERRIS; PRICEWATERHOUSECOOPERS :
 CAYMAN ISLANDS; GIBSON, DUNN & :
 CRUTCHER LLP; REFCO ALTERNATIVE :
 INVESTMENTS LLC; GRANT THORNTON :
 LLP; MARK RAMLER; ERNST & YOUNG U.S. :
 LLP; MAYER BROWN LLP f/k/a MAYER :
 BROWN ROWE & MAW LLP; JOSEPH :
 COLLINS; EDWARD S. BEST; PAUL KOURY; :
 PHILLIP R. BENNETT; ROBERT C. TROSTEN; :
 TONE GRANT; SANTO MAGGIO; THOMAS :
 HACKL; DENNIS KLEJNA; BAWAG P.S.K. :
 BANK FUR ARBEIT UND WIRTSCHAFT UND :
 OSTERREICHISCHE POSTPARKASSE :
 AKTIENGESELLSCHAFT; JP MORGAN :
 CHASE & CO.; CREDIT SUISSE SECURITIES :
 (USA) LLC f/k/a CREDIT SUISSE FIRST :
 BOSTON LLC; BANC OF AMERICA :
 SECURITIES LLC; THOMAS H. LEE :

PARTNERS, L.P.; THOMAS H. LEE :
 ADVISORS, LLC; THL MANAGERS V, LLC; :
 THL EQUITY ADVISORS V, L.P.; THOMAS H. :
 LEE EQUITY FUND V, L.P.; THOMAS H. LEE :
 PARALLEL FUND V, L.P.; THOMAS H. LEE :
 EQUITY (CAYMAN) FUND V, L.P.; THOMAS :
 H. LEE INVESTORS LIMITED PARTNERSHIP; :
 1997 THOMAS H. LEE NOMINEE TRUST; :
 THOMAS H. LEE; DAVID V. HARKINS; :
 SCOTT L. JAECKEL; SCOTT A. SCHOEN; :
 WILLIAM T. PIGOTT; LIBERTY CORNER :
 CAPITAL STRATEGIES, LLC; EMF :
 FINANCIAL PRODUCTS LLC; EMF CORE :
 FUND LTD.; DELTA FLYER FUND LLC; ERIC :
 M. FLANAGAN; INGRAM MICRO, INC.; CIM :
 VENTURES, INC.; BECKENHAM TRADING :
 CO., INC.; ANDREW KRIEGER; COAST :
 ASSET MANAGEMENT, LLC, f/k/a COAST :
 ASSET MANAGEMENT LP; CS LAND :
 MANAGEMENT LLC; CHRISTOPHER :
 PETTIT; and REFCO GROUP HOLDINGS, :
 INC.; and REFCO ASSOCIATES, INC., :
 :
 Defendants :
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PLEASE TAKE NOTICE that, upon the annexed Declaration of Jessica C. Calagione dated July 24, 2008 (the “Calagione Declaration”), and the exhibits attached thereto, and the accompanying Memorandum of Law in Support of Plaintiffs’ Motion for Substituted Service dated July 24, 2008, plaintiffs Kenneth M. Kryss, *et al.*, by and through their undersigned counsel, will move this Court for an Order, pursuant to Federal Rule of Civil Procedure 4(f)(3), permitting substituted service of process on defendant Christopher Sugrue.

PLEASE TAKE FURTHER NOTICE that, pursuant to Local Civil Rule 6.1(b), any opposition to this motion shall be served within ten (10) business days after service of the moving papers.

Dated: New York, New York
July 24, 2008

Respectfully submitted,

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Thomas H. Lee Equity (Cayman) Fund V., L.P.,
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Cayman Islands

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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In re REFCO INC. SECURITIES LITIGATION : Case No. 07-md-1902 (GEL)
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This Document Relates to:

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KENNETH M. KRYIS and CHRISTOPHER :
STRIDE, as JOINT OFFICIAL LIQUIDATORS :
of SPHINX LTD., SPHINX STRATEGY FUND : Case No. 08-cv-3065 (GEL)
LTD.; : Case No. 08-cv-3086 (GEL)
SPHINX PLUS SPC LTD., SPHINX :
DISTRESSED LTD., SPHINX MERGER :
ARBITRAGE LTD.; SPHINX SPECIAL :
SITUATIONS LTD., SPHINX MACRO LTD.; :
SPHINX LONG/SHORT EQUITY LTD.; :
SPHINX MANAGED FUTURES LTD.; SPHINX : **[PROPOSED] ORDER**
EQUITY MARKET NEUTRAL LTD.; SPHINX : **AUTHORIZING SERVICE**
CONVERTIBLE ARBITRAGE LTD.; SPHINX : **OF SUMMONS AND**
FIXED INCOME ARBITRAGE LTD.; SPHINX : **COMPLAINT ON**
DISTRESSED FUND SPC; SPHINX MERGER : **DEFENDANT CHRISTOPHER**
ARBITRAGE FUND SPC; SPHINX SPECIAL : **SUGRUE PURSUANT TO**
SITUATIONS FUND SPC; SPHINX MACRO : **FED. R. CIV. P. 4(f)(3)**
FUND SPC; SPHINX LONG/SHORT EQUITY :
FUND SPC; SPHINX MANAGED FUTURES :
FUND SPC; SPHINX EQUITY MARKET :
NEUTRAL FUND SPC; SPHINX :
CONVERTIBLE ARBITRAGE FUND SPC; :
SPHINX FIXED INCOME ARBITRAGE FUND :
SPC; PLUSFUNDS MANAGED ACCESS FUND :
SPC LTD.; KENNETH M. KRYIS and :
CHRISTOPHER STRIDE as assignees of claims :
assigned by MIAMI CHILDREN'S HOSPITAL :
FOUNDATION, OFI, GREEN & SMITH :
INVESTMENT MANAGEMENT LLC, THALES :
FUND MANAGEMENT LLC, KELLNER :
DILEO & CO., LLC, MARTINGALE ASSET :
MANAGEMENT LP, LONGACRE FUND :
MANAGEMENT LLC, ARNHOLD & S. :
BLEICHROEDER ADVISERS LLC, PICTET & :
CIE, RGA AMERICA REINSURANCE :
COMPANY, DEUTSCHE BANK (SUISSE) SA, :

ARAB MONETARY FUND, HANSARD
INTERNATIONAL LTD., CONCORDIA
ADVISORS LLC, GABELLI SECURITIES, INC.,
CITCO GLOBAL CUSTODY; and JAMES
P. SINCLAIR as Trustee of the SPHINX TRUST,

Plaintiffs,

-against-

CHRISTOPHER SUGRUE; MARK
KAVANAGH; BRIAN OWENS;
PRICEWATERHOUSECOOPERS L.L.P.; MARI
FERRIS; PRICEWATERHOUSECOOPERS
CAYMAN ISLANDS; GIBSON, DUNN &
CRUTCHER LLP; REFCO ALTERNATIVE
INVESTMENTS LLC; GRANT THORNTON
LLP; MARK RAMLER; ERNST & YOUNG U.S.
LLP; MAYER BROWN LLP f/k/a MAYER
BROWN ROWE & MAW LLP; JOSEPH
COLLINS; EDWARD S. BEST; PAUL KOURY;
PHILLIP R. BENNETT; ROBERT C. TROSTEN;
TONE GRANT; SANTO MAGGIO; THOMAS
HACKL; DENNIS KLEJNA; BAWAG P.S.K.
BANK FUR ARBEIT UND WIRTSCHAFT UND
OSTERREICHISCHE POSTPARKASSE
AKTIENGESELLSCHAFT; JP MORGAN
CHASE & CO.; CREDIT SUISSE SECURITIES
(USA) LLC f/k/a CREDIT SUISSE FIRST
BOSTON LLC; BANC OF AMERICA
SECURITIES LLC; THOMAS H. LEE
PARTNERS, L.P.; THOMAS H. LEE
ADVISORS, LLC; THL MANAGERS V, LLC;
THL EQUITY ADVISORS V, L.P.; THOMAS H.
LEE EQUITY FUND V, L.P.; THOMAS H. LEE
PARALLEL FUND V, L.P.; THOMAS H. LEE
EQUITY (CAYMAN) FUND V, L.P.; THOMAS
H. LEE INVESTORS LIMITED PARTNERSHIP;
1997 THOMAS H. LEE NOMINEE TRUST;
THOMAS H. LEE; DAVID V. HARKINS;
SCOTT L. JAECKEL; SCOTT A. SCHOEN;
WILLIAM T. PIGOTT; LIBERTY CORNER
CAPITAL STRATEGIES, LLC; EMF
FINANCIAL PRODUCTS LLC; EMF CORE
FUND LTD.; DELTA FLYER FUND LLC; ERIC
M. FLANAGAN; INGRAM MICRO, INC.; CIM

VENTURES, INC.; BECKENHAM TRADING :
CO., INC.; ANDREW KRIEGER; COAST :
ASSET MANAGEMENT, LLC, f/k/a COAST :
ASSET MANAGEMENT LP; CS LAND :
MANAGEMENT LLC; CHRISTOPHER :
PETTIT; and REFCO GROUP HOLDINGS, :
INC.; and REFCO ASSOCIATES, INC., :
: :
Defendants :
-----X

Upon the motion of plaintiffs Kenneth M. Krys, et al. ("Plaintiffs") for an order authorizing substituted service of the summons and complaint in this action on defendant Christopher Sugrue pursuant to Fed. R. Civ. P. 4(f)(3), Plaintiffs' Memorandum of Law in support thereof and the Declaration of Jessica C. Calagione and the exhibits thereto;

IT IS HEREBY ORDERED that Plaintiffs may serve Mr. Sugrue by international courier service at Av. Amilar Cabral No 110-2, Ed. Sonangol Distribuidora, Luanda, Angola and by electronic mail at chris.sugrue@yahoo.com.sg; and it is

FURTHER ORDERED that Plaintiffs shall serve Mr. Sugrue with a copy of this order along with the summons and complaint.

Dated: New York, New York
July __, 2008

Hon. Gerard E. Lynch
U.S.D.J.